

Senate Resolution 2 - Introduced

SENATE RESOLUTION NO. 2

BY COURNOYER

1 A Resolution urging the United States Congress to
2 reject the invitation to ignore Iowa election law
3 and Iowa's judicial process in deciding election
4 disputes.

5 WHEREAS, on November 30, 2020, the Iowa State
6 Board of Canvass, including a bipartisan group of
7 statewide elected officials, certified Iowa's second
8 congressional district election, declaring Mariannette
9 Miller-Meeks as the winner; and

10 WHEREAS, the opposing candidate, Rita Hart, could
11 have filed an election contest with Iowa's judicial
12 system if she believed that certification to be in
13 error; and

14 WHEREAS, Hart chose to bypass Iowa's judicial system
15 and bring her legal claims directly to the United
16 States House of Representatives; and

17 WHEREAS, Congress has declared in the past,
18 including in cases involving Iowa elections, that
19 losing candidates should exhaust state judicial
20 remedies before filing a contest in the United States
21 House of Representatives; and

22 WHEREAS, Hart has asked the United States House
23 of Representatives to ignore that precedent and
24 to encourage losing candidates to bypass the state
25 judicial process; and

26 WHEREAS, Hart is arguing that the United States
27 House of Representatives is "not legally bound to
28 follow state law" in deciding who won the election; and

1 WHEREAS, if these arguments are adopted, it would
2 set a negative precedent that would violate the will
3 of Iowa voters, upend the rule of law, and reduce
4 the public's confidence in Iowa's fair election
5 process; NOW THEREFORE,

6 BE IT RESOLVED BY THE SENATE, That the Iowa
7 Senate opposes an election process whereby defeated
8 candidates purposely bypass Iowa's judicial system
9 to bring legal claims directly to the United States
10 House of Representatives when their party is in the
11 majority; and

12 BE IT FURTHER RESOLVED, That the United States House
13 of Representatives should not ignore Iowa election law,
14 which is passed and enacted by the representatives of
15 Iowans.